

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

CASE NO. 04 11539 JLT

WALTER STICKLE, ANTHONY)
CALIENDO, JOHN PITINGOLO and)
DANIEL FISHER,)
Plaintiffs/Defendants-in-)
Counterclaim)
v.)
ARTHUR ORFANOS,)
Defendant/Plaintiff-in-Counterclaim)

**PLAINTIFFS' MOTION FOR DEFAULT JUDGMENT
PURSUANT TO RULE 55(b)(2)**

Now come the plaintiffs in the above-captioned matter and hereby request that Judgment enter against the defendant, Arthur Orfanos, pursuant to Rule 55(b)(2) of the Federal Rules of Civil Procedure. In support of this motion, the plaintiffs state that the defendant was defaulted by this Court on February 16, 2006. The defendant's motion to remove that default has been denied. In further support of this motion, the plaintiffs make affidavit that:

1. The defendant is not an infant or incompetent person.
2. The defendant is not in the military service of the United States or its Allies, as defined in the Soldiers and Sailors Relief Act of 1940, as amended, but is at present an individual last known to reside at 54 Egerton Rd., Arlington, MA 02474.

WHEREFORE, the plaintiffs respectfully request that this Court make and enter a default judgment against the defendant, Arthur Orfanos, on all counts, Counts I-V of the plaintiffs' complaint in this matter.

SIGNED UNDER THE PAINS AND PENALTIES OF PERJURY THIS 20th DAY OF
MARCH, 2006.

/s/ Michael B. Newman

Michael B. Newman (632222)
CLARK, HUNT & EMBRY
55 Cambridge Parkway
Cambridge, MA 02142
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CERTIFICATE OF SERVICE

I hereby certify that on the 20th day of March, a courtesy copy of the above document was served, by first class mail, upon the pro se defendant, Arthur Orfanos, 54 Egerton Rd., Arlington, MA 02474.

/s/ Michael B. Newman

Michael B. Newman